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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re Application of: Harry M. Haytayan
Serial No.: 10/646,576
Filing Date: 08/22/03
Title: Buffered Poppet Valve Member For Pneumatic Fastening Tool
Group: 3721
Examiner: Nathaniel C. Chukwurah
Attorney's Docket No.: HMH-94

3 June 2004

Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

RESPONSE TO OFFICIAL ACTION

This is in response to the Official Action issued May 13, 2004.

The Examiner has required restriction of the application to one of the following groups:

- I Claims 1-17 drawn to a pneumatic fastening tool; and
- II Claims 18-23 drawn to a poppet valve member.

Applicant respectfully traverses the restriction requirement on the ground that the poppet valve member defined by claims 18-23 is an essential aspect of the apparatus defined by claims 1-17. Furthermore, it has not been established that the poppet valve member has any use other than as part of a pneumatic fastening tool as defined by claims 1-17. Applicant also believes that the search fields for the poppet valve member are substantially the same as the search fields for the pneumatic fastening tool and hence claims 18-23 are best examined with claims 1-17.


For the foregoing reasons, Applicant respectfully requests that the restriction requirement be withdrawn and an action on the merits be issued for all of claims 1-23.

HMH-94

Notwithstanding Applicant's traverse, Applicant provisionally elects to prosecute the subject matter of claims 1-17 drawn to a pneumatic fastening tool.

It is believed that this constitutes a complete response to the Official Action of May 13, 2004.

Respectfully submitted,



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Nicholas A. Pandiscio
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